

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

MUNOZ, et al.,	)	
	)	
Plaintiffs,	)	
	)	
v.	)	No. 11 C 8078
	)	
NATURES CHOICE LANDSCAPE	)	
SUPPLY, INC., etc., et al.,	)	
	)	
Defendants.	)	

MEMORANDUM ORDER

Defendants have filed an Answer and Affirmative Defenses to the Complaint in this Fair Labor Standards Act case. This memorandum order is triggered by one problematic aspect of that responsive pleading.

Each of Answer ¶¶6, 8 and 9 asserts (at least in part) that "no answer is required" to certain allegations of the Complaint that are said to be legal conclusions. Whether or not that characterization is correct, defendants' conclusion is wrong--see App'x ¶2 to State Farm Mut. Auto. Ins. Co. v. Riley, 199 F.R.D. 276, 278 (N.D. Ill. 2001).

Accordingly those assertions in the Answer are stricken. Defendants are ordered to answer the unanswered allegations on or before July 20, 2012, failing which those allegations will be deemed to have been admitted.



Date: July 10, 2012

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Milton I. Shadur  
Senior United States District Judge